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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/639,611	08/12/2003	Steven Geller	600459.002	5395
61834 DREIER LLP 499 PARK AVE NEW YORK, NY 10022	7590 12/10/2007		EXAMINER LEVINE, ADAM L	
			ART UNIT 3625	PAPER NUMBER
			MAIL DATE 12/10/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/639,611

Applicant(s)

GELLER ET AL.

Examiner

Adam Levine

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 10,12-18 and 20-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10,12-18 and 20-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

Applicants' reply filed August 6, 2007, is responsive to the office action mailed February 5, 2007. Claims 10-20 were previously pending. Applicants have amended claims 10, 12-18, and 20. By way of this amendment, applicants have cancelled claims 11 and 19 and added new claims 21-27. Claims 10, 12-18, and 20-27 are therefore pending and considered in this office action. Remarks have been presented in support thereof.

### ***Response to Amendment***

#### **Pertaining to rejection under 35 USC §112 in the previous office action**

Claims 14 and 19 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 14 has been amended to reflect that the notes have been previously entered; therefore the step of entering the notes is not within the claimed invention. This claim was previously rejected because it appeared that the step of entering the notes was missing. Because it is now clear that this step is not within the claimed invention, this rejection is no longer necessary and is withdrawn.

Claim 19 has been cancelled and its rejection is therefore moot.

***Response to Arguments***

Pertaining to rejection under 35 USC §102 in the previous office action

Applicants' arguments filed August 6, 2007, have been fully considered but they are not persuasive. Applicants argue that the present application presents a simpler user interface than the prior art, catering to mortgage brokers that are not savvy enough to perform searches to retrieve information. Applicants explain that their interface has "three separately actuable buttons on the same display screen, each of which may be accessed by a single user selection, which promptly take the user from the single, deal screen to the respective desired information...". Applicants must realize that what they are describing is a display page with three links to three different saved searches. This is old and well known in the art and is described in the prior art reference. The button feature is variously described as among other things, a bookmark, or a link. It is correct that Raveis does not explicitly describe a single page with exactly three links to exactly three saved searches, however, Raveis does describe a large number of different links to a wide range of information. Each of the links described is a separately user actuable button, accessed by a single user selection, which promptly takes the user from a single display screen to the respective desired information. Limiting the present invention to only three links and only three sets of desired information is not novel. The fact that Raveis discloses additional links to additional information is irrelevant.

***Claim Objections***

1. Claims 10 and 20 are objected to because of the following informalities: In claim 10 lines 20-21, and in claim 20 line 22, the examiner has assumed that "first deal data" is actually supposed to read "second deal data." Otherwise the claim would not make sense. Appropriate correction is required.
2. Claims 17-18 and 26-27 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claims 17-18 and 26-27 depend from claims 10 and 20 respectively, and do not further limit those claims. Claims 17-18 and 26-27 refer to a broader range of information than claims 10 and 20. Although the information is nonfunctional the claims nonetheless fail to further limit the claims from which they depend.

***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 10-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Raveis (Paper #090105; Pub. No. US 2001/0005829).**

Raveis teaches a system and method for facilitating real property transactions using a computer system comprising storing data identifying properties in at least one database, displaying deal information on a screen with, and allowing the user to select

information using actuatable buttons (see at least abstract, page 1 ¶ 0008). Raveis further discloses:

- storing realty data in a database: (see at least abstract); identifying a plurality of real properties including address data associated with each real property (see at least abstract, fig.3, page 1 ¶ 0003, page 9 ¶ 0098); deal data identifying a plurality of deals for mortgage refinancing previously closed on at least some of the real properties in the realty data (see at least page 2 ¶ 0019, page 4 ¶ 0047, page 7 ¶ 0084, 0086; page 8 ¶ 0092, 0094; page 9 ¶ 0096, 0098). Please note: as discussed in previous office actions, the exact information provided, not having any functional role in the method, is non-functional descriptive material. Because it has no functional role in the method this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381 , 1385, 217 USPQ 401, 404 (Fed. Cir. 1983). MPEP 2106). In this case, however, the descriptive material in the present application is essentially the same as in Raveis).
- displaying on a computer display a deal information screen: including data obtained from the database (see at least Figs. 1,3-6; page 1 ¶ 0008, page 2 ¶ 0013, page 4 ¶ 0070, page 8 ¶ 0092, page 9 ¶ 0098).
- identifying one or more of the plurality of real properties: the deal information screen containing a first user actuatable button, a second user actuatable button, and a third user actuatable button (see at least page 1 ¶¶ 0008,0011; page 4

¶0039, page 8 ¶ 0091, page 9 ¶100, page 10 ¶ 0102-0105. Please note: as discussed above, the form of the graphic icon is nonfunctional descriptive matter because it has no functional role in the method. This descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381 , 1385, 217 USPQ 401, 404 (Fed. Cir. 1983). MPEP 2106). It could be a radio button, blue underlined text, another kind of button, all of which are common, or it could be any other graphic representation); displaying in the deal information screen a third user actuable button, and in response to the user actuating the third actuable button displaying additional information about the selected real property obtained from the database, wherein the additional information comprises mortgage data derived from a publicly available source and nonpublic, proprietary deal information, quote data representing one or more quotes for mortgage refinancing related to the selected real property, notes data representing notes entered by the user regarding an offer to refinance the mortgage on the selected real property, history data representing one or more events in the history of a deal associated with the selected real property, data representing tasks to be done related to a deal associated with the selected real property (see at least page 1 ¶ 0008, page 8 ¶ 0091, page 10 ¶ 0102-0105. Please note: as discussed above, the form of the graphic icon is nonfunctional descriptive matter because it has no functional role in the method. This descriptive material will not distinguish the claimed invention from the prior art in

terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983). MPEP 2106).

- allowing the user to select: one of the real properties displayed in the deal information screen (see at least page 3 ¶ 0033);
- in response to the user actuating the first user actuatable button: by a single user selection, searching the database for first deal data comprising one or more previously closed deals for mortgage refinancing at the same address as the selected real property, retrieving the first deal data, and displaying the first deal data on the computer display (see at least page 1 ¶ 0008, page 2 ¶ 0013, 0019, page 4 ¶ 0047, 0070; page 7 ¶ 0084, 0086; page 8 ¶ 0091, 0092, 0094; page 9 ¶ 0096, 0098; page 10 ¶ 0102-0105. Please note: as discussed above and in previous office actions, the exact information provided, not having any functional role in the method, is non-functional descriptive material. Because it has no functional role in the method this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983). MPEP 2106). In this case, however, the descriptive material in the present application is essentially the same as in *Raveis*);
- in response to the user actuating the second user actuatable button: by a single user selection, searching the database for second deal data comprising one or more previously closed deals for mortgage refinancing at addresses located on the same street as the first real property, retrieving the second deal data and



displaying the second deal data on the computer display (see at least page 1 ¶ 0008, page 2 ¶ 0013, 0019, page 4 ¶ 0047, 0070; page 7 ¶ 0084, 0086; page 8 ¶ 0091, 0092, 0094; page 9 ¶ 0096, 0098; page 10 ¶ 0102-0105. Please note: as discussed above and in previous office actions, the exact information provided, not having any functional role in the method, is non-functional descriptive material. Because it has no functional role in the method this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983). MPEP 2106). In this case, however, the descriptive material in the present application is essentially the same as in *Raveis*).

- in response to the user actuating the third actuatable button: by a single user selection, searching the database for additional information about the selected real property, retrieving the additional information, and displaying the additional information on the computer display (see at least page 1 ¶ 0008, page 2 ¶ 0013, 0019, page 4 ¶ 0047, 0070; page 7 ¶ 0084, 0086; page 8 ¶ 0091, 0092, 0094; page 9 ¶ 0096, 0098; page 10 ¶ 0102-0105. Please note: as discussed above and in previous office actions, the exact information provided, not having any functional role in the method, is non-functional descriptive material. Because it has no functional role in the method this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983). MPEP 2106). In this

case, however, the descriptive material in the present application is essentially the same as in Raveis).

- the user relating the first or second deal data to an offeree: that is responsible for the selected real property (see at least abstract, fig.7, pages 1-3 ¶¶ 0011-0013, 0018-0019, 0029-0030).
- an input device: (see at least fig.1, page 1 ¶¶ 0007-0008, page 4 ¶ 0040, page 8 ¶ 0091)
- a programmed processor: (see at least pages 1-2 ¶ 0012, page 3 ¶ 0032).

Pertaining to system claim 20

Rejection of system claim 20 is based on the same rationale as noted above.

**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following prior art references all disclose the linking of buttons displayed on a page to information that will be displayed upon selection of the button. These particular references are chosen from among a large random sample of the previously described references because the following references specifically disclose a first, second, and third button that when chosen result in the display of a first, second, and third set of information.

- Brockbank, US Pub. No. 2002/0107906 A1 (Aug. 2002). Communicating between stations.

- Kotzin, US Pub. No. 2003/0163444 A1 (Aug. 2003). Method to optimize information downloading.
- Rivette, US Patent No. 5,806,079 (Sept. 1998). System, method, and computer program product for using intelligent notes to organize, link, and manipulate disparate data objects.
- Brisebois, US Patent No. 6,219,679 B1 (April 2001). Enhanced user-interactive information content bookmarking.
- Kanevsky, US Patent No. 6,300,947 B1 (Oct. 2001). Display screen and window size related web page adaptation system.
- Grandcolas, US Patent No. 6,332,131 B1 (Dec. 2001). Method and system for automatically harmonizing access to a software application program via different access devices.
- Bedell, US Patent No. 6,622,128 B1 (Sept. 2003). Internet based attorney-client billing system.
- Bascom, US Patent No. 7,111,232 B1 (Sept. 2006). Method and system for making document objects available to users of a network.
- Flanagan, Glenn; "Canuck investors find a home: Investcom has data and research from our markets;" National Post (Toronto Edition 1), Don Mills, Ont.; July 29, 2000; p.C6.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam Levine whose telephone number is 571.272.8122. The examiner can normally be reached on M-F, 8:30-5:00 Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 571.272.6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Patent Examiner  
December 4, 2007

  
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